

**BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

In re Application of:	)	
Nadia GARDEL et al.	)	Group Art Unit: 1617
Application No.: 10/603,698	)	Examiner: K. R. McMillian
Filed: June 26, 2003	)	Confirmation No.: 8001
For: WATER-IN-OIL EMULSION FOUNDATION	)	<b><u>VIA EFS-WEB</u></b>

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**Mail Stop AF**

**NOTICE OF APPEAL UNDER 37 C.F.R. § 41.31**

Sir:

Applicants appeal to the Board of Patent Appeals and Interferences from the Examiner's decision mailed August 5, 2009. The items checked below are appropriate:

1. ☒ Applicants petition for a three-month extension of time, based on the mailing date of the outstanding Office action, extending the due date for response to February 5, 2010. The petition fee of \$1,100.00 is submitted herewith.
2. ☒ The Notice of Appeal Fee of \$540.00 is submitted herewith.
3. ☒ A pre-appeal brief conference is requested. The request and supporting documentation are attached.

Please grant any extensions of time required to enter this response and charge any additional required fees to Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: February 1, 2010

By: Jennifer Gupta  
Jennifer H. Gupta  
Reg. No. 54,257